

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**GOVERNMENT EMPLOYEES  
INSURANCE CO., GEICO INDEMNITY  
CO., GEICO GENERAL INSURANCE  
CO. and GEICO CASUALTY CO.,**

**Plaintiffs,**

**v.**

**Case No. 8:20-cv-802-KKM-AAS**

**LUIS MERCED, M.D., et al.,**

**Defendants.**

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**ORDER**

Defendant Lianny Jimenez-Urdanivia moves this court to overrule GEICO's<sup>1</sup> objections or compel GEICO to provide better answers to seven interrogatories and three requests for production (RFPs). (Doc. 265). GEICO responds in opposition. (Doc. 270).

Under the Amended Case Management and Scheduling Order (CMSO), the "Discovery Cut-Off and Discovery-Related Motions Deadline" was December 13, 2021. (Doc. 253, p. 1). The CMSO states "its provisions will be strictly enforced." (*Id.*). Further, the Middle District of Florida's Civil Discovery Handbook states, "[t]he Court follows the rule that the completion date means

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<sup>1</sup> The plaintiffs are Government Employees Insurance Company, GEICO Indemnity Company, GEICO General Insurance Company, and GEICO Casualty Company. The court will use GEICO collectively to refer to all the plaintiffs.

that all discovery must be completed by that date . . . [c]ounsel, by agreement, may conduct discovery after the formal completion date but should not expect the Court to resolve discovery disputes arising after the discovery completion date.” Middle District Discovery (2015) at I.F.

The interrogatories and RFPs at issue were served on November 12, 2021 and responses were received December 13, 2021, the day of the discovery deadline. (See Doc. 265, p. 2). After several conferrals with GEICO, Ms. Jimenez-Urdanivia received supplemental responses on December 22, 2021 and January 4, 2022. (Doc. 270, Ex. 2, 3). Ms. Jimenez-Urdanivia at no point moved for an extension of the December 13 discovery motion deadline and provides no argument for excusing the untimeliness of the motion to compel, which was filed over three weeks after the deadline. The parties’ apparent agreement to continue discovery after the court’s deadline does not make the motion timely.

Accordingly, Ms. Jimenez-Urdanivia’s untimely Motion to Compel (Doc. 265) is **DENIED**.

**ORDERED** in Tampa, Florida on January 25, 2022.



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AMANDA ARNOLD SANSONE  
United States Magistrate Judge